

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KEVIN WALKER,

Petitioner,

21 CIVIL 7887

-against-

UNITED STATES OF AMERICA,

Respondent.

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JUDGMENT

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated September 30, 2022, the Report and Recommendation is adopted, and, for the reasons therein, the petition is dismissed with prejudice. In addition, because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253. Moreover, the Court certifies that any appeal from the Order would not be taken in good faith, as petitioner's claim lacks any arguable basis in law or fact, and therefore permission to proceed in forma pauperis is also denied; accordingly, the case is closed.

DATED: New York, New York
September 30, 2022

RUBY J. KRAJICK

BY:

Clerk of Court

K. Mango

Deputy Clerk